

1 Morris J. Baller, #048928  
2 Roberta L. Steele, #188198  
3 Joseph E. Jaramillo, #178566  
4 Nina Rabin, #229403  
5 GOLDSTEIN, DEMCHAK, BALLER,  
6 BORGEN & DARDARIAN  
7 300 Lakeside Dr., Suite 1000  
8 Oakland, CA 94612  
9 (510) 763-9800 (telephone)  
10 (510) 835-1417 (telefax)

11 Paul Strauss, #153937  
12 Robert S. Libman, #139283  
13 Nancy Maldonado, *pro hac vice*  
14 MINER, BARNHILL & GALLAND  
15 14 W. Erie Street  
16 Chicago, IL 60610  
17 (312) 751-1170 (telephone)  
18 (312) 751-0438 (fax)

19 Attorneys for Plaintiffs

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA

22 LARRY HOUSTON, et al., on behalf of  
23 themselves and all others similarly situated,

24 Plaintiffs,

25 vs.

26 CINTAS CORPORATION,

27 Defendant.

Case No. C05-03145

**STIPULATION AND ~~PROPOSED~~ ORDER  
EXTENDING DATE BY WHICH  
DEFENDANT MUST ANSWER OR  
OTHERWISE PLEAD TO THE  
COMPLAINT**

**STIPULATION**

**IT IS HEREBY STIPULATED AND AGREED**, by and between the undersigned counsel for plaintiffs and defendant, as follows:

1. WHEREAS, defendant must answer the complaint or otherwise file a motion under Rule 12 on or before October 11, 2005 in this action;

2. WHEREAS, on September 6, 2005, counsel for defendant notified counsel for plaintiffs that if they did not withdraw their complaint within 21 days, defendant would move to dismiss or compel their claims to arbitration and also seek an award of sanctions;

3. WHEREAS, on September 19, 2005, the Court approved the parties' Stipulation and [Proposed] Order to Have Cases Related and ordered that this case be transferred and reassigned to the Honorable Jeffrey S. White, who had pending before him the earlier related case of Ramirez v. Cintas Corp., Case No. C04-0281-JSW;

4. WHEREAS, Cintas has filed a motion to dismiss or compel arbitration of plaintiff James Morgan's claims in Ramirez v. Cintas Corp., which is scheduled for hearing on October 14, 2005; and

5. WHEREAS, the parties agree that the Court's ruling on the motion to dismiss or compel arbitration of plaintiff Morgan's claims in Ramirez v. Cintas Corp., depending on what state law is applied by the Court, may cause either of them to reassess their positions regarding the arbitration agreements signed by the plaintiffs in Houston v. Cintas Corp.

NOW, THEREFORE, the parties request that the Court order as follows:

A. The date on which Cintas must file an answer or motion under Rule 12 in response to the complaint in this action is extended until 21 days after the Court issues a ruling in the case of Ramirez v. Cintas Corp. on the motion to dismiss or compel arbitration of plaintiff Morgan's claims; and

B. The date on which Cintas may file a motion for sanctions under Rule 11 in this action is extended until 21 days after the Court issues a ruling in the case of Ramirez v. Cintas Corp. on the motion to dismiss or compel arbitration of plaintiff Morgan's claims.

Dated: September 21, 2005 Respectfully submitted,



Morris J. Baller, #048928  
Roberta L. Steele, #188198  
Joseph E. Jaramillo, #178566  
Nina Rabin, #229403  
GOLDSTEIN, DEMCHAK, BALLER, BORGAN &  
DARDARIAN  
300 Lakeside Drive, Suite 1000  
Oakland, CA 94612  
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MINER, BARNHILL & GALLAND  
14 W. Erie Street  
Chicago, IL 60610  
(312) 751-1170 (telephone)  
(312) 751-0438 (telefax)

ATTORNEYS FOR PLAINTIFFS



DATED: 9/21/05

Nancy L. Abell (SB# 88785)  
Elena Baca (SB# 160564)  
Heather A. Morgan (SB# 177425)  
Joseph W. Deng (SB# 179320)  
Paul, Hastings, Janofsky &  
Walker LLP  
515 South Flower Street  
Twenty-Fifth Floor  
Los Angeles, CA 90071-2228  
Telephone: (213) 683-6000  
Facsimile: (213) 627-0705

ATTORNEYS FOR DEFENDANT  
CINTAS CORPORATION

**ORDER**

The Court, having reviewed the record and Stipulation herein, finds that good cause exists and hereby ORDERS as follows:

A. The date on which Cintas must file an answer or motion under Rule 12 in response to the complaint in this action is extended until 21 days after the Court issues a ruling in the case of Ramirez v. Cintas Corp. to dismiss or compel arbitration of plaintiff Morgan's claims; and

B. The date on which Cintas may file a motion for sanctions under Rule 11 in this action is extended until 21 days after the Court issues a ruling in the case of Ramirez v. Cintas Corp. to dismiss or compel arbitration of plaintiff Morgan's claims.

IT IS SO ORDERED.

Dated: September 21, 2005

  
THE HONORABLE JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE